

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.1717/2018

Wednesday, this the 2nd day of May 2018

Hon'ble Mr. K.N. Shrivastava, Member (A)

Smt. Kamla Upreti, aged 59 years
w/o late Sh. P B Joshi
working as Primary Teacher in KVS
presently posted in KV No.1, AFS Agra
r/o 28/30m Gokulpura, Marble Art Gallery
Agra

..Applicant

(Mr. Yogesh Sharma, Advocate)

Versus

1. Kendriya Vidyalaya Sangathan
Through the Commissioner
18, Institutional Area, Shaheed Zeet Singh Marg
New Delhi
2. The Finance Officer
Kendriya Vidyalaya Sangathan
18, Institutional Area, Shaheed Zeet Singh Marg
New Delhi- 110 016

..Respondents

O R D E R (ORAL)

The applicant is working as Primary Teacher in Kendriya Vidyalaya Sangathan (KVS) – respondent organization. She joined KVS on temporary basis on 28.02.1986 and subsequently in substantive capacity w.e.f. 25.02.1988. She is due for retirement on 31.10.2018. The contention of the applicant is that since she joined KVS on 28.02.1986, by which time the GPF-cum-Pension Scheme had already come into existence, she is entitled for the benefits of GPF-cum-Pension Scheme. Apparently, the confusion has arisen due to KVS taking decision to implement the GPF-cum-Pension

Scheme in the year 1989 giving retrospective effect from 01.01.1986. The applicant and many other teachers of KVS in spite of having joined the KVS after 01.01.986 have been continued under the earlier CPF Scheme.

2. The applicant has relied on the following judgments of this Tribunal wherein identically situated applicants have been granted the reliefs prayed for in those O.As.:-

i) **Hoshiar Singh v. Union of India & others** (O.A. No.3112/2013) decided on 19.09.2016; and

ii) **Vijay Kumar Malik v. Union of India & others** (O.A. No.4592/2015 with connected O.As.) decided on 15.05.2017.

4. Learned counsel for applicant submits that the *ibid* judgments of the Tribunal have already been implemented by the respondents. He further submits that the applicant has submitted Annexure A-1 representation dated 21.09.2017 seeking the reliefs already granted by the respondents to the applicants in the aforementioned O.As. He further submits that the applicant would be satisfied, at this stage, if a time bound direction is given to the respondents to decide the Annexure A-1 representation keeping in view the aforementioned judgments of the Tribunal.

5. Having regards to the submissions made and without going into the merits of the matter, the O.A. is disposed of at the admission stage with a direction to respondent No.1 to decide the Annexure A-1 representation of the applicant, within a period of three months from the date of receipt of a copy of this order, by passing a reasoned and speaking order. While doing

so, respondent No.1 shall keep in view the judgments of the Tribunal, referred to in paragraph (2) supra. The applicant, however, shall have the liberty to take appropriate remedy, as available to her under law, in case she remains dissatisfied with the order to be passed by the respondent No.1.

(K.N. Shrivastava)
Member (A)

May 2, 2018
/sunil/